

IN THE UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

UNITED STATES OF AMERICA, Plaintiff/Appellee, v. HARRISON BEGAYE, Defendant/Appellant.	APPELLANT'S MOTION TO SUPPLEMENT THE RECORD Case No. 09-4075 (District of Utah)
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Appellant Harrison Begaye moves to supplement the record with the following documents; 1) Docket Entry No. 73, Felony Information; 2) Sealed Docket Entry No. 78, Sealed Reply to United States Motion for Upward Departure and Upward Sentencing Variance; and 3) Sealed United States Motion for Upward Departure and Upward Sentencing Variance that does not have a corresponding docket number, but was filed on April 7, 2009.

WHEREFORE, the defendant-appellant respectfully requests that his motion to supplement the record be granted. Undersigned counsel has contacted Assistant United States Attorney, Stephen Sorenson, regarding this motion and he has no objection.

RESPECTFULLY SUBMITTED, this 20th, day of August, 2009.

STEVEN B. KILLPACK
Federal Public Defender

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CERTIFICATE OF DIGITAL SUBMISSION

I hereby certify that a copy of the forgoing **MOTION TO SUPPLEMENT THE RECORD**, as submitted in Digital Form is an exact copy of the written document filed with the Clerk and has been scanned for viruses with the Symantec AntiVirus Corporate Edition version 10.1.4.4000. Virus Definition File Dated 8/17/2009, rev. 2, and, according to the program, is free of viruses.

Lacey Bagley
/S/ Lacey Bagley
Lacey Bagley (Digital)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **MOTION TO SUPPLEMENT THE RECORD**, was sent to the following and a copy of the digital submission in electronic form was emailed to michelle.curits@usdoj.gov, this 20th day of August, 2009.

Stephen Sorenson
Assistant United States Attorney
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Salt Lake City, Utah 84111-1506

/S/ Lacey Bagley
Assistant to Bretta Pirie

**United States Court of Appeals
Tenth Circuit**

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT**

August 21, 2009

**Elisabeth A. Shumaker
Clerk of Court**

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

HARRISON BEGAYE,

Defendant - Appellant.

No. 09-4075

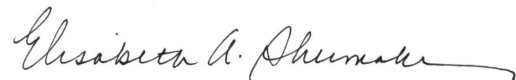
(D.C. No. 2:07-CR-00345-DB-1)

(D. of Utah)

ORDER

This matter is before the court on Appellant's Motion to Supplement the Record on Appeal. The motion is granted. The Clerk of the District Court shall forthwith prepare and transmit a supplemental record consisting of the items requested in Appellant's motion, which is attached to this order.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk